

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
January 12, 1999, 9:00 A.M.

City Hall  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation - Rev. Elsie Crickard, Pleasant Valley United Methodist Church
  - Pledge of Allegiance
  - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Distinguished Service Citations
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PUBLIC AGENDA

1. Comments by Greg Brumley.
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UNFINISHED BUSINESS

2. Ordinance on CPO Elections Upon Redistricting.

Continued from December 22, 1998.

The City Council approved a Resolution establishing CPO district and subdistrict boundaries on December 22, 1998. The proposed Ordinance will allow current CPO representatives, effected by redistricting, to serve the remainder of the terms for which the representatives were previously elected.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

3. Amendment to Chapter 7.08 of the Solid Waste Code - Radioactive Waste Levels.

Continued from December 15, 1998.

On December 15, 1998, the City Council considered a recommendation from the Board of Health to revise the Ordinance pertaining to monitoring the level of radioactive waste in City-owned landfills.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

4. Mennonite Housing Services, Inc. - - Local Investment Area Projects.

Continued from September 22, 1998.

Mennonite Housing Services Inc., is requesting approval for Home Ownership projects within the Local Investment Areas.

RECOMMENDED ACTION: Approve the projects; and authorize Staff to prepare Contracts for the Mayor's signature.

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NEW BUSINESS

5. Petition for a Water Distribution System to Serve Part of Springdale East 2nd Addition - South of Kellogg, East of 143rd Street East. (District II)

A Petition has been signed by 3 of 5 owners (60%) of the improvement district.

RECOMMENDED ACTION: Approve the Petition; and adopt the Resolution.

(11:30 a.m.)

6. General Obligation Temporary Note Sale (Series 198) and General Obligation Bond Sale (Series 754 and 755).

The City is offering for sale one series of General Obligation Temporary Notes totaling \$26.735 million and two series of General Obligation Bonds totaling \$21.9 million.

RECOMMENDED ACTION: Direct the opening and reading of the bids; award the sale of the Bonds and temporary Notes; adopt the Ordinances; and authorize the Mayor to sign the request for Declaration of Emergency.

7. Farm and Art Market Operations. (District VI)

The City currently operates under an interim management contract to oversee the Old Town Market. The proposal is to provide full time services.

RECOMMENDED ACTION: Approve marketing/management position.

(7:00 p.m.)

8. A 98-31 - The City of Wichita Seeks the Annexation of Land Generally Located South of K-96 and North of Kellogg, Between Greenwich Road and 127th Street East. (District II)

On November 10, 1998, the City Council adopted a Resolution that established January 12, 1999, 7:00 p.m., at the East Point Church of Christ, 747 N. 127th Street East, as the time and place for a public hearing on the question of annexing certain eligible properties.

RECOMMENDED ACTION: Close public hearing and approve first reading of the Annexation Ordinance.

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### CITY COUNCIL AGENDA

9. Board/Commission Appointments (for terms expiring June 30, 1999):

Commission on the Status of People with Disabilities (3 appointments - Knight, Cole, Lambke)  
Convention & Tourism Committee (Ferris)  
Human Services Board (Council at large)  
Police & Fire Retirement Board of Trustees (Rogers)  
Wichita Commission on the Status of Women (3 appointments - Gale, 2-Lambke)  
Wichita-Sedgwick County Alcohol and Drug Abuse Advisory Board (Council at large)  
Wichita-Sedgwick County Correctional Housing Board (Knight - Municipal Court Probation)

RECOMMENDED ACTION: Make the appointments.

10. Appointment to Wichita Athletic Commission (Council at large).

One vacancy due to the resignation of Scott Smith, for a term expiring January 30, 1999.

RECOMMENDED ACTION: Make the appointment.

11. Appointments to the Juvenile Corrections Advisory Board for the 18th Judicial District.

The City is authorized to make three appointments to the Juvenile Corrections Advisory Board.

RECOMMENDED ACTION: Make the appointments.

12. Report on The Governor's Transportation 2000 Plan.

RECOMMENDED ACTION: Receive and file.

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### CONSENT AGENDA

13. Report of the Board of Bids and Contracts Dated January 11, 1999.

RECOMMENDED ACTION: Receive and file the Report; and approve the Contracts and authorize the Mayor to sign.

14. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>1998</u>	<u>(Consumption on Premises)</u>
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Patrick J. Audley	Artichoke Sandwich Bar*	811 North Broadway.
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(Consumption off Premises)

Dwayne Kahns	Sunrise Amoco	6327 East 13th
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\*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

15. Plans and Specifications:

- a. 1999 Contract maintenance Preparatory Curb & Gutter Repair and Miscellaneous Concrete Repair. (132258)
- b. 1998 Enhanced Maintenance Area Concrete Reconstruction, Phase VII. (/706648)
- c. Bayley Street. (472-83032/715540)

RECOMMENDED ACTION: Approve the Plans and Specifications and advertisement for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., January 22, 1999.

16. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

17. Petitions for Public Improvements:

- a. Storm water sewer to serve Harbor Isle Second Addition, east of Meridian, south of 53rd Street North. (District VI)
- b. Storm water sewer to serve Buckhead Third Addition, north of Central, west of 119th Street West. (District V)
- c. Paving, sanitary sewer, drainage, and water distribution systems to serve Lindsay's Orchard Addition, north of Pawnee, west of Maize. (District V)
- d. Turn lane on Washington, south of Lincoln. (District I)

RECOMMENDED ACTION: Approve the Petitions and adopt the Resolutions.

18. Minutes of Advisory Boards/Commissions:

Airport Authority, 12-7-98  
Board of Code Standards and Appeals, 12-7-98

Board of Electrical Appeals, 11-10-98  
Board of Park Commissioners, 12-14-98  
Commission on the Status of Women, 12-12-98  
Police and Fire Retirement System of Wichita, 11-18-98

RECOMMENDED ACTION: Receive and file.

19. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

20. Agreements/Contracts:

- a. Railroad Crossing Agreement: Burlington Northern and Santa Fe Railway Company crossing at 143rd Street East, south of 21st Street North. (District II)
- b. Design services for Balthrop Addition, north of Central, east of Greenwich. (District II)
- c. Design Contracts -Arterial Corridor and Bridges Program.

RECOMMENDED ACTION: Approve the Agreements/Contracts and authorize the Mayor to sign.

21. Supplemental Professional Services Agreement - Foulston & Siefkin, L.L.P.

RECOMMENDED ACTION: Approve the Supplemental Agreement and authorize the Mayor to sign.

22. Change Order: Douglas Avenue Bridge over the Arkansas River. (District VI)

RECOMMENDED ACTION: Approve the Change Order and authorize the Mayor to sign.

23. Cheney Reservoir Study.

RECOMMENDED ACTION: Receive and file.

24. IRB - Purchase Option - Southwest Paper Company, Inc. (District VI)

RECOMMENDED ACTION: Adopt the Resolution; approve the necessary documents and authorize the Mayor to sign.

25. Second Reading Ordinance - A 98-29 - North and South of Harry, Between Webb Road and 127th Street East. (District II)

RECOMMENDED ACTION: Adopt the Ordinance.

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

\*Consent Items

26. DR 98-10 - Request to Waive a Condition of Platting Requiring a Sidewalk Along Brown Thrush Street in Ashley Park Addition. (District V)

MAPC Recommendation: Permit developer to submit a substitute Petition which guarantees the installation of the sidewalk when sidewalks are installed along Second Street.

Staff Recommendation: Deny the applicant's request and direct the sidewalk to be constructed.

RECOMMENDED ACTION: Close the public hearing and concur with the findings of the MAPC; waive the Platting condition requiring the installation of a sidewalk along Brown Thrush Street; or return the matter to MAPC for further consideration.

\*27. S/D 98-38 - Plat of Garden Meadow Addition Located North of Douglas, East of 127th Street East. (District II)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; adopt the Resolutions; and authorize the Mayor to sign.

\*28. S/D 98-62 - Plat of Sand Pointe Addition Located on the West Side of Hydraulic, South of 63rd Street South.

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; and authorize the Mayor to sign.

29. CU-498 - Conditional Use Request to Allow Vehicle Sales on Property Located North of Harry and East of George Washington Boulevard. (District III)

MAPC Recommendation: Deny the request.

CPO Recommendation: Deny.

Staff Recommendation: Deny the request.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and deny the Conditional Use request; or

2. Return the application to the MAPC for reconsideration.

30. Z-3295 - Zone Change from "SF-6" Single-Family Residential to "NR" Neighborhood Retail, Located North of

Maple and West of Tyler. (District V)

MAPC Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to conditions.

Staff Recommendation: Deny.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change, subject to the recommended Protective Overlay and the condition of Platting; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or

2. Deny the application, citing the findings of the Planning Staff.

31. Z-3300 - Zone Change from "B" Multi-Family and "MF-29" Multi-Family Residential to "NR" Neighborhood Retail on Property Located at the Southeast Corner of Meridian and Orient. (District IV)

MAPC Recommendation: Approved for "NR" Neighborhood Retail.

CPO Recommendation: Deny the request.

Staff Recommendation: Deny request for "LC" but approve "NR" Neighborhood Retail.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of Platting; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or

2. Return the application to the MAPC for reconsideration.

\*32. Z-3302 - Zone Change From "SF-6" Single-Family to "LC" Limited Commercial on Property Located at the Southwest Corner of Central and Boyd. (District V)

MAPC Recommendation: Approve the request.

CPO Recommendation: Approve the request, subject to Staff's recommendations.

Staff Recommendation: Approve the request, subject to Replatting.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of Platting; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or

2. Return the application to the MAPC for reconsideration.

33. Z-3306 - Zone Change from "SF-6" Single-Family Residential to "GO" General Office on Property, Located North of the Northeast Corner of 21st Street North and Tyler Road. (District V)

MAPC Recommendation: Approve for "GO" General Office.

CPO Recommendation: Approve "LC" Limited Commercial with the additional provisions of a P-O Protective Overlay District.

Staff Recommendation: Deny request for "LC" but approve "GO" General Office.

- RECOMMENDED ACTION:
1. Concur with the findings of the MAPC and approve the zone change to "GO", subject to the condition of Platting; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or
  2. Return the application to the MAPC for reconsideration.

Adjournment

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(1:30)

Tour - Society of Decorative Painters, 393 North McLean Boulevard.